GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Sri K. Chinna Rao, Superintendent of Jails, Prisoners' Agricultural Colony, Ananthapuramu–Exhibited Negligence – Initiation of departmental proceedings under Rule 22 of A.P. Civil Services (CC&A) Rules, 1991 - Article of charge – Issued.

HOME (PRISONS & FIRE) DEPARTMENT

G.O.Rt.No.430 Dated: 30.05.2022.

Read the following:-

1.G.O.Ms.No.91 Home (Paroles &HRC) Department, Dt. 16.08.2021.
2.Petition dt. 27.08.2021 of Smt MudiNavaneethamma W/o Late Mudi Paramdhamireddy.
3.Writ Petition No.19380/2021 filed by Mudi Navaneethamaa W/o Late Mudi Paramdhami Reddy before the Hon'ble High Court of Andhra Pradesh.

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ORDER:-

Whereas Sri K. Chinna Rao, Superintendent of Jails, Prisoners' Agricultural Colony, Ananthapuram has exhibited negligence by wrongly proposing the name of Convict Prisoner No.4461, Konduru Rama Chandra Reddy S/o Krishna Reddy of Prisoners' Agricultural Colony, Ananthapuram for premature release in terms of G.O.Ms.No.91 HOME (Paroles & HRC) Department, Dated 16-08-2021 and by concealing the details of the aforesaid prisoner's involvement in Cr.No.41/2021 of Chittamur PS, Nellore District in his Nominal Roll while he was availing parole leave from 16-03-2021 to 30-04-2021 and misleading the superior officers and Government which attracted unwarranted Writ Petition No.19380/2021 filed by Mudi Navaneethamma W/o Late Mudi Paramdhama Reddy and made the Prisons and Home Department accountable before the Hon'ble High Court of Andhra Pradesh.

2. Hence it is proposed to hold an enquiry against Sri K. Chinna Rao, Superintendent of Jails, Prisoners' Agricultural Colony, Ananthapuramu under Rule 22 of Andhra Pradesh Civil Services (CCA) Rules 1991. The substance of imputation of negligence in respect of which inquiry is proposed to be held is set out in the enclosed statement of articles of Charge (Annexure- I). A list of documents by which and a list of witnesses by whom the articles of charges are proposed to be sustained are also enclosed (Annexure II and III).

3. Sri K. Chinna Rao, Superintendent of Jails, Prisoners' Agricultural Colony, Ananthapuramu is hereby directed to submit a written statement of his defense, within (15) days from the date of receipt of this memo.

4. Sri K. Chinna Rao, Superintendent of Jails, Prisoners' Agricultural Colony, Ananthapuramu is informed that, an inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of Charge.

5. Sri K. Chinna Rao, Superintendent of Jails, Prisoners' Agricultural Colony, Ananthapuramu is further informed that, if he does not submit his written statement of defense on or before the date specified in para (3) above, or otherwise fails or refuses to comply with the provisions of Rule 22 of APCS(CC&A) Rules, 1991 of the orders/directions issued in pursuance of the said rules the Inquiry Authority may hold the inquiry against him as ex-parte.

p.t.o

6. Attention of Sri K. Chinna Rao, Superintendent of Jails, Prisoners' Agricultural Colony, Ananthapuramu is invited to Rule 24 of Andhra Pradesh Civil Services (CCA) Rules 1991 under which no Government Servant shall bring or attempt to bring any Political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his Service under the Government. If any representation is received on his behalf from another person in respect of any mater dealt within these Proceedings it will be presumed that Sri K. Chinna Rao, Superintendent of Jails, Prisoners' Agricultural Colony, Ananthapuramu is aware of such representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of Andhra Pradesh Civil Services (Conduct) Rules 1964.

7. The Director General of Prisons and Correctional Services shall take further necessary action in this regard and on receipt of this order which shall be acknowledged on duplicate copy of the same with dated signature in token of having received the original by the charged officer and return the same to Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

HARISH KUMAR GUPTA
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri K.Chinna Rao, Superintendent of Jails, Prisoners' Agricultural Colony,
Ananthapuramu**,** through the Director General of Prisons and
Correctional Services, Andhra Pradesh, Mangalagiri.

Copy to:-
The Director General of Prisons and Correctional Services, Andhra Pradesh,
Mangalagiri with a request to serve the charge memo on the Officer.
Sc/Sf.

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI K. CHINNA RAO, SUPERINTENDENT OF JAILS, PRISONERS' AGRICULTURAL COLONY, ANANTAPURAMU

ARTICLE OF CHARGE

"That the said Sri K. Chinna Rao, Superintendent of Jails, Prisoners' Agricultural Colony, Ananthapuramu has exhibited negligence by wrongly proposing the name of Convict Prisoner No.4461, Konduru Rama Chandra Reddy S/o Krishna Reddy of Prisoners' Agricultural Colony, Ananthapuramu for premature release in terms of G.O.Ms.No.91 Home (Paroles & HRC) Department, Dt. 16-08-2021 by concealing the fact of prisoner's involvement while he was availing parole leave from 16-03-2021 to 30-04-2021 in Cr.No.41/2021 of Chittamur PS, Nellore District in his Nominal Roll and mislead the superior officers without discussing the issue for clarification before the Internal Scrutiny Committee of the Prisons Department held on 24-08-2021 and 25-08-2021 at Prison Head Quarters, Vijayawada which eventually embarrassed the HOME and Prisons Department and made accountable in the Hon'ble High Court, Andhra Pradesh in connection with Writ Petition No.19380/2021 filed by Mudi Navaneethamaa W/o Late Mudi Paramdhami Reddy." Thus, his action has contravened Rule No. 3 of AP CS (Conduct) Rules, 1964 and instructions issued in G.O.Ms.No.91 Home (Paroles & HRC) Department, Dated 16-08-2021.

BASIS OF CHARGE:-

1. The Government of Andhra Pradesh has issued guidelines in G.O.Ms.No.91 Home (Paroles & HRC) Department, Dt. 16-08-2021 for premature release of well-behaved Convicted Prisoners by granting special remission.
2. Basing on the Government instructions Sri K. Chinna Rao, Superintendent of Jails, Prisoners' Agricultural Colony, Anantapuramu has proposed Konduru Rama Chandra Reddy S/o Krishna Reddy of Prisoners' Agricultural Colony, Ananthapuramu who has completed (09) years (08) months and (22) days including actual sentence, remand and remission period, for premature release.
3. Regarding the eligibility of the aforesaid prisoner along with other Prisoners, an Internal Scrutiny Committee meeting was convened and held on 24-08-2021 and 25-08-2021 at Prisons Head Quarters, Vijayawada.
4. Further Smt Mudi Navaneethamma W/o Late MudiParamdhamireddy has submitted a petition dt.27-08-2021 whereby she has requested the DG of Prisons, A.P. to stop the premature release of the prisoners involved in the murder of Late Mudi Paramdhami Reddy and confined in PAC, Ananthapuram including the Convict Prisoner Konduru Rama Chandra Reddy S/o. Krishna Reddy.
5. The Director General of Prisons and Correctional Services, Andhra Pradesh has obtained detailed report from the Superintendent of Police, Nellore on the release of convict prisoners involved in the murder case of Late Mudi Paramdhami Reddy whereby the Superintendent of Police, SPS Nellore District vide his letter C.No.74/C2/2021, Dt.18-10-2021 has informed that there is likelihood of danger to the life of petitioner Smt Mudi Navaneethamma W/o Late Mudi Paramdhami Reddy and also likely eruption of law and order problem in the village due to existing political rivalry in the village, if the convicts are released prematurely.

(p.t.o)

6. Further it was informed by the Superintendent of Police, Nellore that C.T.No.4461 Konduru Rama Chandra Reddy S/o Krishna Reddy went to Mettu Village when he was on parole and the follower of Late Mudi Paramdhami Reddy lodged a complaint against him and his wife Konduru Subbarathnamma and to that effect Cr.No.41/2021 was registered on 01-04-2021 at 06-00 P.M. U/s 323, 506 r/w 34 IPC and Sec.3 (i)(r)(s) of SC& ST P.O.A. Act of 2015 in Mettu Police Station. The same was investigated by Deputy Superintendent of Police, SC & ST Cell-I, Nellore and the case was referred as False on 02-06-2021 basing on the merits of investigation.

7. The Superintendent of Jails, Prisoners' Agricultural Colony, Ananthapuramu has informed the involvement of C.T.No.4461 Konduru Ramachandra Reddy S/o Krishna Reddy in Crl.No.41/2021, Dated. 01-04-2021 of Chittamuru Police Station, Nellore in his Lr.No.PAC/ATP (JR-1)/731/2021, Dt. 01-05-2021 addressed to Principal Secretary to Government, Home (Paroles) Department, Amaravathi, Guntur and marked a copy to the DG of Prisons, A.P., But the Superintendent of Jails has failed to mention the prisoner's involvement in Criminal case in the Nominal Roll submitted to the Government for his premature release.

8. Had the Superintendent of Jails, Prisoners' Agricultural Colony, Ananthapuramu brought this issue during the Internal Scrutiny Committee meeting of Prisons Department held on 24-08-2021 & 25-08-2021 at Prison Head Quarters, Vijayawada, clarification would have been sought from Legal Department or from the Government on the eligibility of the prisoner's premature release. But he has not done so.

9. The Government in the G.O.Ms.No.91 HOME (Paroles & HRC) Department, Dt. 16-08-2021 clearly mentioned in para No.8(vi) that the Prisoners who are released on parole/furlough and who commit/attempt any of the offences punishable under any law for the time being in force are not eligible for premature release. Even though there was no case pending against the prisoner as on the date of submission of his papers for consideration for premature release, the Superintendent ought to have informed the case particulars in the nominal roll of the prisoner, which he has failed to do so.

10. It clearly shows that the instructions of the Government and of the Superior Officers issued with regard to premature release weren't followed properly, which eventually attracted unwarranted Writ Petition filed before the Hon'ble High Court of Andhra Pradesh in WP No.19380/2021 by Mudi Navaneethamma W/o Late Mudi Paramdhama Reddy.

HARISH KUMAR GUPTA
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-II

List of Documents by which the articles of Charge framed against Sri K. Chinna Rao, Superintendent of Jails, Prisoners' Agricultural Colony, Ananthapuram proposed to be sustained.

1. G.O.Ms.No.91 Home (paroles & HRC) Department, Dt. 16-08-2021.
2. Nominal Rolls of C.T.No.4461 Konduru Ramachandra Reddy S/o Krishna Reddy.
3. Certificate of Sub Inspector of Police, Chittamur P.S., Nellore.
4. FIR No.41/2021 Dt. 01-04-2021 filed at Chittamuru P.S., Nellore
5. Lr.No.PAC/ATP/Jr-1/731/2021, Dt. 01-05-2021 of Sri K. Chinna Rao, Superintendent of Jails, Prisoners' Agricultural Colony, Ananthapuramu.
6. Memo.No.RC-2/133/2021, Dt. 03-12-2021 of the DG of Prisons, Andhra Pradesh.
7. Explanation of Sri K. Chinna Rao, Superintendent of Jails, Prisoners' Agricultural Colony, Ananthapuramu vide Lr.No.PAC/ATP/Jailor (I) /2034/2021, Dt. 04-12-2021.
8. Writ Petition No.19380/2021 filed by Mudi Navaneethamma W/o Late Mudi Paramdhama Reddy before the Hon'ble High Court of Andhra Pradesh.

HARISH KUMAR GUPTA
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-III

List of witnesses by whom the Articles of Charges framed against Sri K.Chinna Rao, Superintendent of Jails, Prisoners' Agricultural Colony, Ananthapuramu are proposed to be sustained.

--NIL--

HARISH KUMAR GUPTA
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

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